

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI

IN RE: SUZANNE NMN LENHART,)
) Case No. 18-60605-can-13
Debtor.)

MOTION TO ASSUME EXECUTORY CONTRACT
HELD BY GREENE COUNTY, MISSOURI

COMES NOW the Debtor, by and through Counsel, and moves the Court for its order authorizing Debtor to assume the executory contract held by Greene County, Missouri and in support thereof, Debtor state as follows:

1. This case was commenced by the filing on May 24, 2018 of a voluntary petition for relief under chapter 13 of title 11 of the United States Code.
2. Richard V. Fink, the appointed trustee, has not made application or motion to this Court to accept or reject executory contracts of the Debtor.
3. Pursuant to 11 U.S.C. section 365, Debtor(s) asks the Court to approve the assumption of the following contract held by Greene County, Missouri, the terms of which are as set forth in the attached exhibit 1.
4. Debtor would propose the cure the nonmonetary defaults (if required in order to assume), by completing the following:
 - a. obtain professional engineer's report by July 25th 2018;
 - b. obtain a building permit to rebuild structures in compliance with applicable codes by August 25th, 2018;
 - c. a framing inspection from Greene County, with all structures framed and roofed in compliance with applicable codes by November 25th, 2018;
 - d. construction on all structures by December 25th, 2018; or
 - e. pursuant to deadlines otherwise set by the Court.
5. The assumption of the executory contract is in the best interest of the Debtor(s).

WHEREFORE Debtor prays for an order from the Court authorizing and approving the assumption of the executory contract held by Greene County, Missouri as being in the best interest of the Debtor, and for other relief this Court deems just and proper.

Respectfully Submitted,

By: /s/ James M. Poe
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NOTICE OF MOTION

Any response to the motion must be filed with 21 days of the date of this notice, pursuant to Local rule 9013-1C, with the Clerk of the United States Bankruptcy Court. Parties represented by an attorney shall file electronically at <https://ecf.mowb.uscourts.gov>. Pro se parties shall mail filings to: United States Bankruptcy Court, Western District of Missouri, 400 East 9th Street, Room 1510, Kansas City, MO 64106. Pursuant to 9013-1D, responses shall address the merits of the motion and, if applicable, set out actions to remedy the particular problem. The Court will serve such response electronically on the Trustee, debtor's attorney and all other parties to the case who have registered for electronic filing. Respondent shall serve all parties who are not served electronically. If a response is timely filed, a hearing will be held on a date and time determined by the Court. Notice of such hearing will be provided to all parties in interest. If no response is filed within 21 days, the Court will enter an order. For information about electronic filing go to www.mow.uscourts.gov or call the Court's HELP line at 1-800-466-9302.

CERTIFICATE OF SERVICE: By signing above, the attorney certifies that on June 25, 2018, the above document was filed electronically in the United States Bankruptcy Court, Western District of Missouri, with the parties in interest to receive notice electronically and further via Fax and U.S. Mail to:

VIA FACSIMILE: (417) 866-1752

VIA U.S. MAIL:

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